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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,123	06/15/2001	Licheng Zeng	WDUMR-022US	8259
7590 11/01/2007 Stetina Brunda Garred & Brucker-Lowell Anderson 75 Enterprise, Suite 250 Aliso Viejo, CA 92656			EXAMINER RIMELL, SAMUEL G	
			ART UNIT 2164	PAPER NUMBER
			MAIL DATE 11/01/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/883,123

Applicant(s)

ZENG, LICHENG

Examiner

Sam Rimell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.


SAM RIMELL
PRIMARY EXAMINER

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The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1: The preamble calls for “parsing unstructured and partially structured name and address data”. There are no structures or encoded instructions within the claim for this functionality to be realized.

Part (a) of claim 1 refers to “knowledge base analyzing”, whereas there are no structures or encoded functions within claim 1 which permit this functionality to be realized. instructions within the claim for this functionality to be realized.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Fujisawa et al. (U.S. Patent 6,182,062).

Claim 1: No patentable weight is attributed to actions of parsing or consulting an inference engine defined in the first paragraph of claim 1 since these are intended usages of the system rather than physical features of the system (MPEP 2106, Section C).

FIG. 1 illustrates the components of a knowledge base program. The knowledge base analyzes data (components 503 and 504) using at least lexico-grammatical analysis (see lexical analysis unit 503). The techniques of orthographic, semantic and contextual predefined analysis are optionally recited (due to the phrase “one of” in part (a)) and thus carry no patentable weight.

The knowledge base uses a knowledge representation language (computer programming) which embodies systematic functional linguistic theory (syntax rules in the grammar file: col. 16, lines 54-56). The knowledge base builds representations of data (output text: FIG. 27) including a form from at least one language (English). The recitation of scripts from multiple countries is an optional recitation carrying no patentable weight (see the phrase “selected from” in part (B)).

The knowledge base includes a knowledge representation layer (words 501), a knowledge base management layer (lexical analysis unit 503), a language inference layer (syntactic analysis unit 504) and a language programming interface (input unit 502). The output produced from the input is the body of executable knowledge.

The knowledge base analyzes data (components 503 and 504) using at least lexico-grammatical analysis (see lexical analysis unit 503) and thus includes a lexico-grammatical level (text or words). The levels of orthographic, semantic and contextual predefined analysis are optionally recited (due to the phrase “one of” in part (a)) and thus carry no patentable weight.

Remarks

Applicant's amendments have overcome the rejections under 35 USC 101 and most of the rejections under 35 USC 112, second paragraph, except for those currently specified. Applicant argues the description of parsing in claim 1 is definite and is performed by the

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inference engine. This argument is not correct. Claim 1 states that parsing is done by “consulting” with an inference engine, but does not indicate that the inference engine actually performs the parsing action. No part of claim 1 indicates which physical structure performs the parsing. The action of “consulting”, by itself, is not considered to be the parsing.

Applicant also asserts that the issue of “knowledge base analyzing” described in part (a) of claim 1 has been corrected by amendment. However, part (a) of claim 1 has not been amended, so the issue remains of record.

With respect to the rejection of claim 1 under 35 USC 102, applicant takes issue with the examiner’s finding that certain features of claim 1 carry no patentable weight. Applicant traverses the examiner’s citation of MPEP 2106, Section C (supporting the finding of no patentable weight) by arguing that no such section of the MPEP even exists. This argument is not correct. MPEP 2106 Section C (“Review the Claims”) appears in both the paper and electronic versions of the MPEP. In the paper version (version 5), it appears on pages 2100-6 and 2100-7. The exact same text appears in the electronic version of the MPEP on the USPTO website. This section has existed in the MPEP since at least August 2006, although the principle of questioning patentable weight of claim terminology has been recited in the MPEP for since at least the late 1980’s.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (571) 272-4084.



Sam Rimell
Primary Examiner
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